

JUL/05/2014/SAT 09:05 AM WASATCH CO. ATTORNEY

FAX No. 435 654 2947

P. 018

SCOTT H SWEAT, #6143
 Wasatch County Attorney
 MCKAY G KING, #11694
 TYLER J. BERG, #12031
 Deputy Wasatch County Attorneys
 805 West 100 South
 Heber City, UT 84032
 Telephone: (435)654-2909
 Fax: (435)654-2947

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
 2014
 [Signature] Date
 Clerk
 Judge

IN THE FOURTH JUDICIAL DISTRICT COURT
 IN AND FOR WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH,

Plaintiff,
 vs.

MARK L. DENCKLAU
 14163 French Prairie Road NE
 Woodburn, OR
 DOB: 03/02/1960,

Defendant.

Amended
 INFORMATION

CASE NO. 141400391
 Warrantless Arrest W10287766
 Judge O. LANE MCCOTTER

The undersigned SAMUEL CASE WADE, Deputy County Attorney, under oath states on information and belief that the defendant, in Wasatch County, State of Utah, committed the following crime(s):

COUNT 1: POSSESSION OR USE OF A CONTROLLED SUBSTANCE, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37-8(2)(a)(i), as follows: That the above named defendant on or about July 05, 2014, did knowingly and intentionally possess or use an unauthorized controlled substance analog or controlled substance, to wit: Marijuana.

COUNT 2: POSSESSION OF DRUG PARAPHERNALIA, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37a-5(1), as follows: That the above named defendant on or about July 05, 2014, did use, or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a

JUL/05/2014/SAT 09:05 AM WASATCH CO. ATTORNEY

FAX No. 435 654 2947

P. 019

controlled substance into the human body in violation of Utah Code Title 58, Chapter 37a.

This information is based on evidence obtained from the following witness(es): Deputy Dustin Lazenby, WASATCH CO SHERIFF'S OFFICE

Authorized 5 July 2014
for presentment and filing:

By 
SAMUEL CASE WADE
Deputy County Attorney

Note: Prosecutor will amend the Information
with a Count 3, Possession of Drug Paraphernalia
a class B misdemeanor.

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : MINUTES
Plaintiff, : PRETRIAL CONFERENCE
: NOTICE
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: July 5, 2014

PRESENT

Clerk: coletter
Prosecutor: WADE, SAMUEL C
Defendant

DEFENDANT INFORMATION

Date of birth: March 2, 1960
Audio

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B
Misdemeanor
Plea: Not Guilty
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Plea: Not Guilty

HEARING

Parties request case be set for a Bench Trial.

BENCH TRIAL is scheduled.

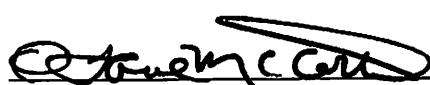
Date: 08/07/2014

Time: 01:00 p.m.

Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032
before Judge O LANE MCCOTTER

Date: 5 July 2014


O LANE MCCOTTER
Justice Court Judge

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to

the hearing. For TTY service call Utah Relay at 800-346-4128. The general information phone number is (435) 654-2679.

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF
Plaintiff, : BENCH TRIAL
vs. :
MARK LEROY DENCKLAU, : Case No: 141400399 MO
Defendant. : Judge: O LANE MCCOTTER
: Date: July 5, 2014

BENCH TRIAL is scheduled.

Date: 08/07/2014
Time: 01:00 p.m.
Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032
before Judge O LANE MCCOTTER

Date: 7/5/14



Justice Court Clerk

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (435) 654-2679 five days before the hearing.

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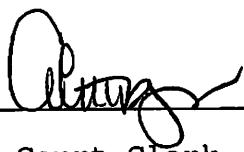
CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

BY HAND: MARK LEROY DENCKLAU

EMAIL: STATE OF UTAH

Date: 7/5/14



Justice Court Clerk

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : MINUTES
Plaintiff, : PRETRIAL CONFERENCE
: NOTICE
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: July 5, 2014

PRESENT

Clerk: coletter
Prosecutor: WADE, SAMUEL C
Defendant

DEFENDANT INFORMATION

Date of birth: March 2, 1960
Audio

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B Misdemeanor
Plea: Not Guilty
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Plea: Not Guilty

HEARING

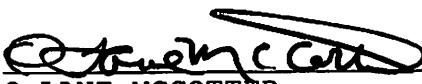
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Date: 08/07/2014
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HEBER, UT 84032
before Judge O LANE MCCOTTER

Date: 5 July 2014



O LANE MCCOTTER
Justice Court Judge

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to

the hearing. For TTY service call Utah Relay at 800-346-4128. The general information phone number is (435) 654-2679.

WASATCH COUNTY JUSTICE COURT

1361 South Highway 40
Heber City, Utah 84032

EXPLANATION OF CONSTITUTIONAL RIGHTS
INSTRUCTIONS AND WAIVER FORM

Court Contact Information: Should this information change, you must notify the Court within 10 days. This contact information is what the Court will use to contact you as long as your case is open before the Court.

Name: Mark Dencklaus Date of Birth: 3-2-60

Mailing Address: 14163 French Prairie Rd NE Apartment # _____

City, State, Zip Code: Woodburn, Or Phone # (971) 304 8198

Read the following explanations and sign your name where indicated, verifying that you have read and understand the following explanation of your Constitutional Rights:

1. **Representation by an attorney:** You have the right to be represented in all Court proceedings by an attorney. If you cannot afford an attorney and request an attorney to represent you, one may be appointed to represent you if you are determined to be "indigent," and there is a "substantial probability that you would be sentenced to jail" as a result of being convicted of the charges. If you are convicted of the charges, the Court may order reimbursement of all or a portion of the attorney's fees, based upon your ability to pay. If you wish to take advantage of your right to hire an attorney to represent you, you should plead NOT GUILTY during your Arraignment today, and the Court will set your Pre-Trial Hearing out far enough to allow you plenty of time to hire an attorney. Depending on the seriousness of the charges against you, you may be released on your own recognizance or you may be required to post bail to guarantee your appearance at your next scheduled Court appearance.

You understand that if you choose to proceed without an attorney and represent yourself during all Court proceeding, you may not be aware of or understand all the rules of procedure and evidence, which govern criminal proceedings and the admission of evidence. You understand that your failure to comply with the rules that apply to trials, the admission of evidence, and criminal procedure may impair your ability to present a defense in your case and can jeopardize your liberty. You fully understand that there are risks associated with representing yourself and, if you choose to represent yourself, you agree that you have been advised of those risks.

2. **Speedy Trial:** You have the right to a speedy trial. You may have the right to have a trial by jury upon your written request to this Court. You must submit your written request for a Jury Trial a minimum of 10 days prior to your scheduled trial date. You are not eligible or entitled to request a Jury Trial if you are charged only with an Infraction. If you do not request a Jury Trial, your case will be scheduled for a Bench Trial.

3. **Privilege against Self Incrimination:** You have the right to remain silent, and your silence cannot be construed by the Court or the Jury as an admission of your guilt. Your refusal to testify cannot be held against you.

4. **Confrontation and Cross Examination of Accusers:** You have the right to face your accusers or anyone who might testify against you, and the right to cross examine those witnesses. You have the right to call witnesses in your own behalf, and you can serve them with subpoenas to ensure that anyone you want to testify in your defense will appear. You have the right to take

the witness stand to testify in your own defense if you wish, after which you will be subject to cross-examination by the prosecution.

5. **Presumption and Burden of Proof:** You are presumed innocent of all charges filed against you. The government has the burden of proof to prove the charges against you, beyond a reasonable doubt.

6. **Withdrawal of Plea:** A Plea of GUILTY or NO CONTEST may be withdrawn upon good cause shown and the approval of the Court. A request to withdraw a plea of GUILTY or NO CONTEST must be made to the Court before sentence is announced. For a Plea in Abeyance, a motion to withdraw the plea must be made within 30 days of the date of the Plea in Abeyance agreement.

7. **Right to Appeal:** You have the right to appeal any verdict or sentence of this Court to the District Court and to have a new trial. You have the right to appeal, even if you plead GUILTY. An appeal must be filed with this Court within 30 days after the date of sentencing, or the entry of a plea in abeyance. 78A-7-118, UCA.

8. **Notice to Non-citizens:** If you are not a citizen or permanent resident of the United States, the charges against you may have immigration consequences. If this applies to you, you should take the opportunity to discuss this matter with an immigration attorney before agreeing to any plea on your charges, and prior to sentencing.

9. **Time for Sentencing:** If you are found GUILTY, or enter a plea of GUILTY or NO CONTEST, you have the right to be sentenced not sooner than 2 days nor more than 45 days from the day of conviction, or you can waive that right and be sentenced on the same day as your conviction or plea is entered.

Maximum Fines and Penalties:

Class B Misdemeanor	180 days jail and/or fines and surcharges ranging up to \$1,900
Class C Misdemeanor	90 days jail and /or fines and surcharges ranging up to \$1,425
Infraction:	Has a fine but no surcharge and no jail time.

When your case comes before the Court for Arraignment, you will be asked to enter a plea of NOT GUILTY, GUILTY, or NO CONTEST. By entering a plea of NOT GUILTY, you are telling the Court you are going to challenge the charges against you. The Court will then set your case for a Pre-Trial Hearing, giving you an opportunity to discuss your case with the prosecutor and reach a mutually acceptable agreement. If it is not resolved at the Pre-Trial Hearing, your case will be set for Trial. By entering a GUILTY or NO CONTEST plea you are telling the Court that you are not going to challenge the charges against you, that you are waiving all your rights, to include your right to trial, and you desire to move to sentencing. At sentencing, you will be allowed to provide any matters of mitigating circumstances and explanations for consideration prior to sentencing being pronounced.

I have read and I understand the foregoing Constitutional rights and instructions. I understand the charge(s) and penalties. Any plea I enter is voluntary and of my own free will and choice. No force, threats, or unlawful influence have been made to get me to plead.

Date: 7-5-14 Defendant: Mark T. Seckler

I voluntarily, knowingly and intelligently waive my right to an attorney for Arraignment/ Hearing on the charges I have received. I understand I can hire an attorney to represent me at future Court proceedings if I so desire.

Date: 7-5-14 Defendant: Mark T. Seckler
I Attorney present with Defendant at this Hearing

I reviewed the above in open Court with the named defendant.

Judge: _____

WASATCH COUNTY JUSTICE COURT, FOR THE STATE OF UTAH 8/18/11

**NOTIFICATION OF ENHANCEMENT - POSSESSION OF MARIJUANA (LESS THAN ONE OUNCE), SPICE,
BATH SALTS, ETC.** - 2/25/11

Defendant: Mark Ducklair, Case No. 14140369

ELEMENTS

58-37-8(2)(a)(i): It is unlawful for any person knowingly and intentionally to possess or use marijuana or a substance listed in Section 58-37-4.2, commonly known as spice, bath salts, etc.

ENHANCEMENT / PENALTIES

58-37-8(2)(d): Knowingly and intentionally possessing or using less than one ounce of marijuana or a substance listed in Section 58-37-4.2 is a class B misdemeanor for a first conviction, a class A misdemeanor for a second conviction, and a third degree felony for a third or subsequent conviction.

53-3-220(1)(c)(i)(A): The Driver License Division shall immediately suspend for six months the driver license of a person convicted of any violation of Title 58, Chapter 37, Utah Controlled Substances Act.

53-3-218(2)(c): A court is not required to forward a conviction of the Utah Controlled Substances Act to the Driver License Division, and the Driver License Division is not required to suspend a person's license for a violation described in 53-3-220(1)(c), if the violation: (A) did not involve a motor vehicle; and (B) the convicted person is participating in or has successfully completed substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health. If the convicted person fails to comply with the terms of the substance abuse treatment program, a representative of the program shall immediately provide an affidavit to the Court notifying the Court of the person's failure to comply with the terms of the substance abuse program. Upon receipt of this affidavit, the Court shall immediately forward an abstract of the court record of conviction so the Division can immediately suspend the person's license.

Minimum / Maximum Sentences

Class B Misdemeanor: 0 days to 6 months jail; \$0 to \$1,940 fines and surcharges, plus interest

Class A Misdemeanor: 0 days to 1 year jail; \$0 to \$4,783 fines and surcharges, plus interest

Third Degree Felony: 0 days to 5 years prison; \$0 to \$9,533 fines and surcharges, plus interest

I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.

7-5-14
Date

Mark Ducklair
Defendant

(P)
HJR/WWD



WASATCH COUNTY SHERIFF'S OFFICE

Warrantless Arrest Probable Cause Statement

The undersigned, Rick Heel, of the Wasatch County Sheriff under oath states that there existed probable cause for the arrest without warrant of the person named below based upon the following:

Name of arrestee: MARK L. DENCKLAU	DOB: 03/02/60
Date of arrest: 07/05/14	Time: 06:01:15
Place of arrest: Lake Creek Road	

The above-named person is currently being detained on the following charges:

<u>Offense</u>	<u>Date/Time</u>	<u>Statute Code</u>	<u>CC</u>	<u>Bail Amt</u>
1.POSSESSION MARIJUANA	07/05/14 05:43:00	58-37-8-PM	BM	_____
2.POSSESSION OF PARAPHERNALIA	07/05/14 05:43:00	58-37A-5(1)	BM	_____

The undersigned believes that probable cause existed for this warrantless arrest and the continued detention of the above-named person based upon the following information which was either known by the undersigned personally or was obtained by the undersigned in his/her capacity as a peace officer:

Mark Dencklau was arrested for 58-37-8(2)(D): Possession other Controlled Substance or Less Than 1 oz Marijuana and 58-37a-5(1): Possession of Paraphernalia. This was a result of him having in his pants pocket a zip-lock bag containing a small amount of marijuana and a glass pipe that had been used to consume/smoke marijuana.

Narrative:

As Officers from multiple agencies were making a high risk stop on 7 motorcycles, stemming from a report of a stabbing (See Case# 1407-0338), Mark Dencklau was stopped by US Forest Service Officer McDaniel. During a cursory search for weapons, Officer McDaniel located, in Mark's left front pants pocket, a zip-lock style bag containing a green leafy substance and a glass pipe (See Officer McDaniel's supplemental report). The items were turned over to me for further investigation.

I recognized the green leafy substance in the bag to be marijuana, through training and experience. The substance weighed, in the bag at 8 grams. The substance was field tested and showed positive for marijuana. The glass pipe had a burnt residue in the bowl, that had the distinct odor of what I recognized through training and experience to be burnt marijuana. The items and field test were photographed, the marijuana and pipe were booked into evidence.

Findings:

Due to Mark having in his possession, a green leafy substance that was recognized and field tested to be marijuana and a pipe that had the residue of what appeared to be burnt marijuana in it, he was booked on 58-37-8(2)(D): Possession other Controlled Substance or Less Than 1 oz Marijuana and 58-37a-5(1): Possession of Paraphernalia.

End

The undersigned requests the magistrate to whom this statement is presented to execute an order determining that probable cause existed for the above-described warrantless arrest, authorizing the continued detention of the above-named person on the stated charges, and setting appropriate bail, if any.

Warrantless Arrest Probable Cause Statement

Page 2 of 3

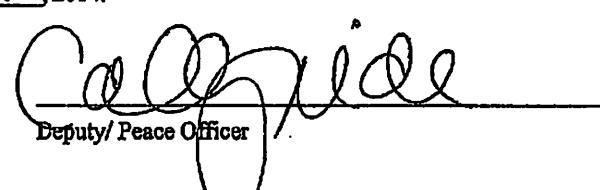


Officer

State of Utah

County of WASATCH

Sworn to before me this 5th day of July, 2014.



Deputy/ Peace Officer

Warrantless Arrest Probable Cause Statement

Page 3 of 3

Findings and Order

Based upon the foregoing statement, the undersigned magistrate finds that probable cause existed for the arrest without a warrant of MARK L. DENCKLAU upon the stated charges; that detention of the above-named person may continue; and that bail for the offenses shall be as follows:

The defendant is to be held without bail pending a bail hearing.

The defendant may post bail as follows:

Count 1 - \$ _____

Count 2 - \$ _____

Other order: _____

Date: _____, 2014 Time: _____ .m.

Title: _____

Report Includes:
All Booking Numbers matching '27688', All Arrest Numbers

JUL/05/2014/SAT 09:05 AM WASATCH CO. ATTORNEY

FAX No. 435 654 2947

P. 018

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 Wasatch County Attorney
 MCKAY G KING, #11694
 TYLER J. BERG, #12031
 Deputy Wasatch County Attorneys
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 Telephone: (435)654-2909
 Fax: (435)654-2947

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
 7/14/14
 [Signature] Date
 Clerk
 Judge

IN THE FOURTH JUDICIAL DISTRICT COURT
 IN AND FOR WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH,

Plaintiff,
vs.MARK L. DENCKLAU
 14163 French Prairie Road NE
 Woodburn, OR
 DOB: 03/02/1960,

Defendant.

Amended
INFORMATIONCASE NO. 141400319
 Warrantless Arrest W10287766
 Judge O. LANE MCCOTTER

The undersigned SAMUEL CASE WADE, Deputy County Attorney, under oath states on information and belief that the defendant, in Wasatch County, State of Utah, committed the following crime(s):

COUNT 1: POSSESSION OR USE OF A CONTROLLED SUBSTANCE, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37-8(2)(a)(i), as follows: That the above named defendant on or about July 05, 2014, did knowingly and intentionally possess or use an unauthorized controlled substance analog or controlled substance, to wit: Marijuana.

COUNT 2: POSSESSION OF DRUG PARAPHERNALIA, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37a-5(1), as follows: That the above named defendant on or about July 05, 2014, did use, or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a

JUL/05/2014/SAT 09:05 AM WASATCH CO. ATTORNEY

FAX No. 435 654 2947

P. 019

controlled substance into the human body in violation of Utah Code Title 58, Chapter 37a.

This information is based on evidence obtained from the following witness(es): Deputy Dustin Lazenby, WASATCH CO SHERIFF'S OFFICE

Authorized 5 July 2014
for presentment and filing:

By _____
SAMUEL CASE WADE
Deputy County Attorney

Note: Prosecutor will amend the Information
with a Count 3, Possession of Drug Paraphernalia
a class B misdemeanor.

SCOTT H SWEAT, #6143
Wasatch County Attorney
SAMUEL CASE WADE, #14829
Deputy Wasatch County Attorney
805 West 100 South
Heber City, Utah 84032
Telephone: (435) 654-2909
Fax: (435) 654-2947

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH

Date
Clerk
Judge

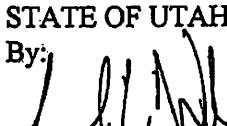
IN THE JUSTICE COURT IN AND FOR
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH	MOTION AND ORDER TO CONTINUE
Plaintiff vs. MARK L. DENCKLAU DOB: 03/02/1960	Case No. 141400399 Judge O. LANE MCCOTTER
Defendant	

COMES NOW THE STATE OF UTAH, by and through SAMUEL CASE WADE,
Deputy County Attorney, and respectfully requests a continuance of the **BENCH TRIAL** that
had been scheduled for **August 07, 2014, at 1:00 PM**, in the above entitled court.

The basis for this motion is that the State's witness will be out of the country and unable
to appear on the scheduled date.

DATED this 11 day of July, 2014.

STATE OF UTAH, Plaintiff
By:


SAMUEL CASE WADE
Deputy County Attorney

ORDER OF CONTINUANCE

BASED UPON THE FORGOING MOTION of Plaintiff, and for good cause shown; IT
IS HEREBY ORDERED that the **BENCH TRIAL** that had been scheduled for August 07,
2014, at 1:00 PM, is hereby continued to September 4, 2014 at 1:00 p.m./a.m.
DATED this 14th day of July 2014.

BY THE COURT:


O. LANE MCCOTTER

Justice Court Judge

MAILING CERTIFICATE

I hereby certify that on the 11 day of July, 2014, I

- Mailed, first class and postage prepaid,
- Faxed
- Hand-delivered at court

a true and correct copy of the foregoing document to

MARK L. DENCKLAU
14163 FRENCH PRAIRIE ROAD NE
WOODBURN, OR


JoEll Rowley
Legal Secretary

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF
Plaintiff, : BENCH TRIAL
vs. :
MARK LEROY DENCKLAU, : Case No: 141400399 MO
Defendant. : Judge: O LANE MCCOTTER
: Date: July 16, 2014

BENCH TRIAL is scheduled.

Date: 09/04/2014

Time: 01:00 p.m.

Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032

Before Judge: O LANE MCCOTTER

Date: 7/16/14



Justice Court Clerk

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (435) 654-2679 five days before the hearing.

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

MAIL: MARK LEROY DENCKLAU 14163 FRENCH PRAIRIE RD NE WOODBURN, OR 97071

EMAIL: STATE OF UTAH

Date: 7/16/14



Justice Court Clerk

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : MINUTES
Plaintiff, : BENCH TRIAL
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: September 4, 2014

PRESENT

Clerk: coletter
Prosecutor: WADE, SAMUEL C
Defendant not present

DEFENDANT INFORMATION

Date of birth: March 2, 1960
Audio

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B
Misdemeanor
Plea: Not Guilty
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Plea: Not Guilty

TRIAL

State moves to Amend Information, adding count 3. Judge request State to file Amended Information. State request warrant issued including the count 3 charge. Judge orders warrant issued, set cash bail at \$2040.00.

Date: 4 September 2014


O LANE MCCOTTER
Justice Court Judge

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : ARREST WARRANT
Plaintiff, : Warrant No: 1850212
:
vs. : Case No: 141400399 MO
OTN No: 41034562
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: September 4, 2014

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B Misdemeanor
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor

To any Peace Officer in the State of Utah:
You are commanded to arrest and deliver the defendant to the Wasatch County Jail.

A juvenile may not be confined in an adult facility.

Defendant may be transported within the state.
The defendant must appear in Court before Judge O LANE MCCOTTER on the next available court date.

Failure To Appear For Mandatory Court Appearance.

Bail is set at \$2040.00, and must be posted as cash only.

This warrant may be served any time, day or night.

Issued: September 4, 2014

Law Enforcement Agency: WASATCH CO SHERIFF

Date: 4 September 2014

O Lane McCotter
O LANE MCCOTTER
Justice Court Judge
Defendant Details:

MARK LEROY DENCKLAU
14163 FRENCH PRAIRIE RD NE
WOODBURN OR 97071

Citation No: W10289766
Date of Birth: 03-02-1960
Driver License No: xxx8803
Social Security No: xxx-xx-

Case No: 141400399 Date: Sep 04, 2014

Home Phone: 971-304-8198

Vehicle License:

Warrant Number: 1850212

Surety Information: STATEWIDE BAIL BONDING LLC Phone:
(801)261-3055

3448 S MAIN ST

SALT LAKE CITY, UT 84115

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH,	:	NOTICE OF DEFENDANT'S FAILURE
Plaintiff,	:	TO APPEAR AND ORDER TO COMMENCE
	:	BOND FORFEITURE PROCEEDINGS
vs.	:	Case No: 141400399 MO
MARK LEROY DENCKLAU,	:	Judge: O LANE MCCOTTER
Defendant.	:	Date: September 04, 2014

NOTICE

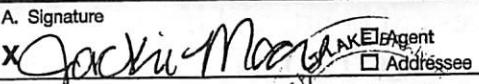
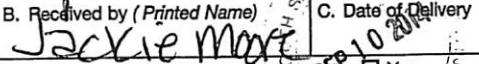
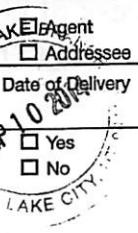
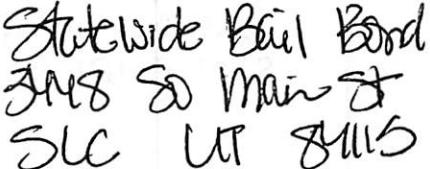
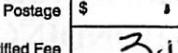
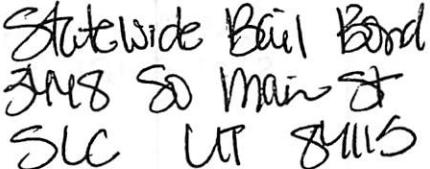
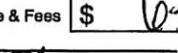
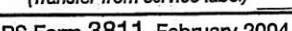
TO THE BAIL BOND SURETY COMPANY AND THE PROSECUTING AGENCY:

This is to advise you that, pursuant to Section 77-20b-101, et.seq. Utah Code Annotated 1953, as amended, that the above-named defendant, after having been given notice, failed to appear for his/her regularly scheduled court proceeding on September 4 2014.

The posting bond company is STATEWIDE BAIL BONDING LLC for the amount of \$1360.00. The bonding company has six months from the date of non-appearance to bring the defendant before the Court. At the end of that time the prosecuting attorney shall begin forfeiture in accordance with Section 77-20b-101 et.seq. Utah Code Annotated 1953 as amended.

The prosecuting agency on this case is WASATCH COUNTY, 805 W 100 S, HEBER CITY, UT 84032. Phone: (435) 654-2909, Fax: (435) 654-2947.

Court Location - WASATCH COUNTY JUSTICE COURT, 1361 S HIGHWAY 40, HEBER CITY, UT 84032. Phone: (435) 654-2679

Date: _____		SENDER: COMPLETE THIS SECTION	
U.S. Postal ServiceTM CERTIFIED MAIL[™] <i>(Domestic Mail Only; No Insurance)</i> For delivery information visit our website at www.usps.com		COMPLETE THIS SECTION ON DELIVERY	
		A. Signature  <input checked="" type="checkbox"/> LAKE Agent <input type="checkbox"/> Addressee	B. Received by (Printed Name)  <input checked="" type="checkbox"/>
		C. Date of Delivery 	D. Is delivery address different from item B? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: 
Postage \$ 		1. Article Addressed to: 	
Certified Fee \$ 		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
Total Postage & Fees \$ 			
Sent To Statewide Bail Bond Street, Apt. No., or PO Box No. 348 S City, State, ZIP+4 SLC UT 84115		2. Article Number <i>(Transfer from service label)</i> 7011 0470 0000 4567 9544	
		PS Form 3800, August 2006 See Reverse for Instructions	
		Domestic Return Receipt 102595-02-M-1540	

IN THE WCJ P COURT, STATE OF UTAH
Wasatch COUNTY, DEPARTMENT

STATE OF UTAH

vs. Mark LeRoy Dencklau

Defendant

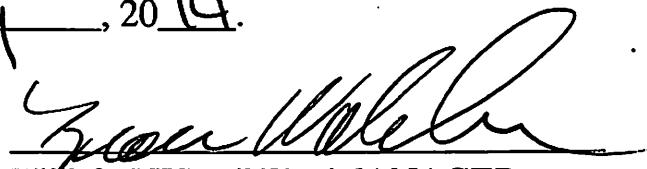
UNDERTAKING OF BAIL BY
 QUALIFIED SURETY AND
 APPOINTMENT OF AGENT WITH
 POWER OF ATTORNEY

Poss Marijuana
 Poss Paraph

Case No. new
 Bond No. 7514Z
 Amount of Bond\$ 1360.00

Statewide Bail Bonding, LLC, by and through Tyron Webber, Manager, of the Limited Liability Company hereby appoints Jackie Moon as agent of Statewide Bail Bonding, LLC for the purpose of this specific bail bond only with the full power of attorney with full power to execute this undertaking of bail in an amount no more than \$ 1360.00 by issuing this bail bond within thirty (30) days after the date this bond is dated, and notarized by Tyron Webber, managing agent of Statewide Bail Bonding, LLC. The undersigned, a surety qualified with Utah State Department of Insurance, State of Utah, with a business address of 3350 South 900 West, Salt Lake City, UT 84119, Telephone: (801) 261-3055. The surety hereby undertakes that the above-named defendant will at all times hold himself amendable to the orders and process of court, and if convicted, will appear for judgment according to the Utah Law.

DATED this 5 day of July, 2014.



STATE OF UTAH
 BAIL BOND LICENSE NO.
97876 
 STATEWIDE BAIL BONDS

TYRON WEBBER, MANAGER
 STATEWIDE BAIL BONDING, LLC

SCOTT H SWEAT, #6143
 Wasatch County Attorney
 SAMUAL CASE WADE, #14829
 Deputy Wasatch County Attorney
 805 West 100 South
 Heber City, UT 84032
 Telephone: (435)654-2909
 Fax: (435)654-2947

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
18/14 Date
CR Clerk
Judge

**IN THE JUSTICE COURT
 IN AND FOR WASATCH COUNTY, STATE OF UTAH**

STATE OF UTAH,

Plaintiff,

vs.

MARK L. DENCKLAU
 14163 French Prairie Road NE
 Woodburn OR
 DOB: 03/02/1960,

Defendant.

**AMENDED
 INFORMATION**

Court Case #: 141400399
 Citation No.
 Judge: O. LANE MCCOTTER

The undersigned SAMUEL CASE WADE, Deputy County Attorney, under oath states on information and belief that the defendant, in Wasatch County, State of Utah, committed the crime(s) of:

COUNT 1: POSSESSION OR USE OF A CONTROLLED SUBSTANCE, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37-8(2)(a)(i), as follows: That the above named defendant on or about July 05, 2014, did knowingly and intentionally possess or use an unauthorized controlled substance analog or controlled substance, to wit:

COUNT 2: POSSESSION OF DRUG PARAPHERNALIA, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37a-5(1), as follows: That the above named defendant on or about July 05, 2014, did use, or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body in violation of Utah Code Title 58, Chapter 37a.

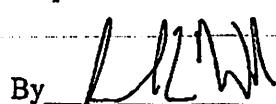
COUNT 3: POSSESSION OF DRUG PARAPHERNALIA, a Class B Misdemeanor, in violation of Utah Code Ann. §58-37a-5(1), as follows: That the above named defendant on or about July 05, 2014, did use, or possess with intent to use, drug paraphernalia to plant, propagate,

cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body in violation of Utah Code Title 58, Chapter 37a,

COUNT 4: FAILURE TO APPEAR, a Class B Misdemeanor, in violation of Utah Code Ann. §77-7-22, as follows: That the above named defendant on or about September 04, 2014, did willfully fail to appear before a court pursuant to a citation issued under Utah Code § 77-7-18.

This information is based on evidence obtained from the following witness: Deputy Dustin Lazenby, WASATCH CO SHERIFF'S OFFICE

Authorized this 5th day of September, 20 14.
for presentment and filing:

By 
SAMUEL CASE WADE
Deputy County Attorney

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF
Plaintiff, : BENCH TRIAL
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: September 11, 2014

BENCH TRIAL is scheduled.

Date: 10/09/2014

Time: 01:00 p.m.

Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032

Before Judge: O LANE MCCOTTER

Date: 9/11/2014



Shantell Flynn
Justice Court Clerk

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (435) 654-2679 five days before the hearing.

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128.

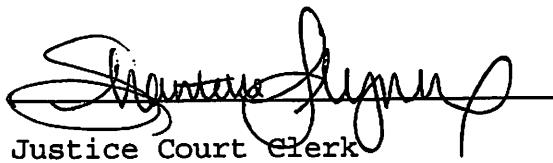
CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

PHONE: MARK LEROY DENCKLAU

EMAIL: STATE OF UTAH

Date: 9/11/2014



Shantell Flynn
Justice Court Clerk

IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
9/17/14 Date
09 Clerk
Judge

to Judge M-Cutter.

Your Honor,

I am very sorry for
being there on my court
date. I regretfully sent
them (one, well over a
month ago) to the wrong
place. I sent them to
Mr. Wedee office. I thought
it was the place to
respond to. He didn't send
a response to the one I
sent at the end of July, so
I sent him another one a
couple weeks ago and he
didn't respond till after I
had a warrant. That's why
I informed me that I had
been sending to the wrong
address. I meant no disrespect
to the court. I just needed

to ask for a continuance as
my letters state, apologize
for my ignorance. I also
regret not understanding
what was going on at pre-trial.
I would like to request
another pre-trial if you
would please be so gracious
to grant me another shot
at a plea bargain. I should
have taken one that day
to save everyone this trouble.
Again I'm sorry.

Mark Dencklaer
14163 French Prairie Rd. NE
Woodburn, Or 97071

case No 141400399

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, :
Plaintiff, : RESPONSE TO DEFENDANT REQUEST TO
: CHANGE TO PRETRIAL
vs. :
MARK LEROY DENCKLAU, : Case No: 141400399
Defendant. : Judge: O LANE MCCOTTER
: Date: September 18, 2014

Defendant was set for a Bench Trial on 9-4-2014 and failed to appear. The court issued a Bench Warrant for failure to appear. The defendant submitted a hand written Motion requesting to grant him a new PreTrial Conference. The court grants the Motion.

The warrant will be recalled and the case will be schedule for a PreTrial Conference on 10-9-14 at 10am.

Date: 18 September 2014


Judge O LANE MCCOTTER

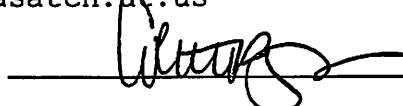
CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

MAIL: MARK LEROY DENCKLAU 14163 FRENCH PRAIRIE RD NE WOODBURN, OR 97071

EMAIL: STATE OF UTAH skelsey@co.wasatch.ut.us

Date: 9/18/14


Justice Court Clerk

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF
Plaintiff, : PRETRIAL CONFERENCE
: :
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: September 18, 2014

PRETRIAL CONFERENCE.

Date: 10/09/2014

Time: 10:00 a.m.

Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032

Before Judge: O LANE MCCOTTER

The reason for the change is Defendant's request

Date:

G18M

Justice Court Clerk

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (435) 654-2679 five days before the hearing.

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

MAIL: MARK LEROY DENCKLAU 14163 FRENCH PRAIRIE RD NE WOODBURN, OR
97071

EMAIL: STATE OF UTAH skelsey@co.wasatch.ut.us

Date:

91814

Justice Court Clerk

Plea by Affidavit :

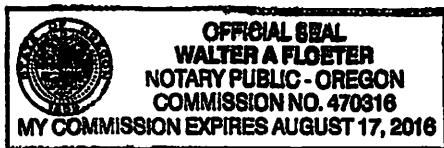
I Mark Dencklau plea no contest to Possession or use of a controlled substance.

State of Oregon, County of Yamhill

On 10/06/2014 before me a Notary Public for state of Oregon personally appeared Mark Dencklau and signed document.

Walter A Floeter
WALTER A FLOETER, Notary for State of Oregon

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
10/8/14 Date
CP Clerk
Judge



10/3/2014

I plead No Contest because I understand that a jury or judge could find me guilty of the charge(s), so I am choosing to accept the plea offer (defendant's initials: M.D.).

2. I am signing this plea petition and entering this plea voluntarily, intelligently, and knowingly.

141400399
Case Number)

10-3-14
(Date)
10-6-14

Mark Dencklau
(Defendant's Signature)
Mark Dencklau

Mark Dencklau Case No. 141400399

Phone No. 971 304-8198

10-2-14

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH

10/8/14 Date

Clark Clerk

Judge

To the court & county attorney: I apologize for my health. I have a very serious issue and cannot travel and require further medical care. I was going to ask if I could have an attorney appear for me, but I talked with Mr. Wade and he told me about making a "plea by affidavit". Since I would just like to clear this up & get to dealing with my health issue, I would like to accept Mr. Wade's offer of, Plea no contest to the possession of marijuana, and the other charge dropped with a fine and an order to report somewhere in Portland. I was informed that any courts involved with this could be taken off the \$500.00 fine & that something would be written or filed to make sure that I don't lose my drivers license. This is agreeable to me and I contacted the court and was told that it was ok with the court and was up to, and between me & Mr. Wade. I contacted an attorney here and he got me, what we hope is an acceptable document. I'm trying to get copies of this letter and my affidavit to both the court and Mr. Wade as quickly as possible. If this is unacceptable, please contact me ASAP so I may make sure someone is there for court on my behalf. I'm sorry to be a pain.

Respectfully, Mark Dencklau

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : MINUTES
Plaintiff, : PRETRIAL CONFERENCE
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: October 9, 2014

PRESENT

Clerk: coletter
Prosecutor: WADE, SAMUEL C
Defendant not present

DEFENDANT INFORMATION

Date of birth: March 2, 1960

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B
Misdemeanor
Plea: Not Guilty
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Plea: Not Guilty
3. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
4. FAIL TO APPEAR ON CITATION - Class B Misdemeanor

HEARING

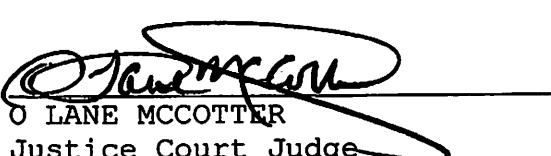
Defendant filed a Affidavit and letter to the court. The State is filing a Response to the letter. Case continued for 30 days.

PRETRIAL CONFERENCE is scheduled.

Date: 11/13/2014
Time: 08:30 a.m.
Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032
before Judge O LANE MCCOTTER

Date: 9 October 2014


O LANE MCCOTTER
Justice Court Judge

Case No: 141400399 Date: Oct 09, 2014

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128. The general information phone number is (435) 654-2679.

SCOTT H. SWEAT, #6143
Wasatch County Attorney
S. CASE WADE, #14829
Deputy Wasatch County Attorney
805 West 100 South
Heber City, UT 84032
Phone: (435) 654-2909
Fax: (435) 654-2947

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
10-14-14 Date
CR Clerk
Judge

**IN THE WASATCH COUNTY JUSTICE COURT
IN AND FOR WASATCH COUNTY, STATE OF UTAH**

STATE OF UTAH,)	
Plaintiff,)	RESPONSE TO DEFENDANT'S PLEA BY AFFIDAVIT
v.)	
MARK L. DENCKLAU)	Case No. 141400399 Judge O. LANE MCCOTTER
Defendant.)	
)	

COMES NOW, S. Case Wade, Deputy Wasatch County Attorney, and asks the Court not to accept Defendant's plea by affidavit because Defendant made false assertions in his plea by affidavit and accompanying letter. In his communication with the court, Defendant misrepresented our plea negotiation to the court. The full extent of the State's offer to Defendant was that the State would dismiss the other counts against him if he plead to Count 1 of the Information dated September 5, 2014. The State made no concessions about sentencing recommendation, nor did I say that I could or would do anything to help him keep his driver license. Defendant did ask me what would happen to his license. However, I told him that I did not know.

It would not be appropriate for the Court to accept the plea by affidavit from Defendant under these circumstances because his recent communications with the Court indicate that he may not understand the consequences of his plea.

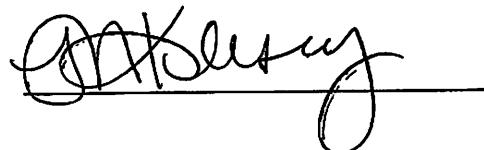
Dated this 8th day of October, 2014.

/s/
Samuel Case Wade
Deputy County Attorney

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of October, 2014, I sent via first class mail, a true and correct copy of the foregoing to:

Mark Dencklau
14163 French Prairie Road NE
Woodburn, OR 97071



WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF
Plaintiff, : PRETRIAL CONFERENCE
vs. :
MARK LEROY DENCKLAU, : Case No: 141400399 MO
Defendant. : Judge: O LANE MCCOTTER
: Date: October 9, 2014

PRETRIAL CONFERENCE is scheduled.

Date: 11/13/2014
Time: 08:30 a.m.
Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032
before Judge O LANE MCCOTTER

Date: Oct 9, 2014



Justice Court Clerk

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (435) 654-2679 five days before the hearing.

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128.

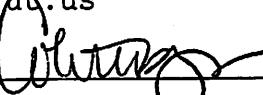
CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

MAIL: MARK LEROY DENCKLAU 14163 FRENCH PRAIRIE RD NE WOODBURN, OR 97071

EMAIL: STATE OF UTAH skelsey@co.wasatch.ut.us

Date: Oct 9, 2014



Justice Court Clerk

Case No. 141400399 MIN THE JUSTICE COURT
WASATCH COUNTY, UTAH 1412/14 Date
Clerk
Judge

Wasatch County justice Court:

I received the rescheduling notice for pretrial conference. I'm very sorry that an emergency operation ~~had~~ caused a postponement of the last date. I completely understand, and hope that everything went well.

I'm not trying to complain, because I know some things are more important, but we had already bought tickets to fly to Utah and of course, because we got them as cheap as we could, they were non-refundable. I know my lack of finances is not the courts problem, but I had to borrow the money for them and still have to figure out how to repay for the first flight.

When I was arrested, I was promised, by the arresting officer, that if I needed a lawyer, and couldn't afford one, that one would be provided for me. Well I definitely feel that I now need one, and I definitely can't afford one. Would you please send me the paperwork to apply for a court appointed lawyer? Or whatever I have to do to get one. I really have tried to work with you and get this resolved, but now that, even my affidavit was refused I really feel that I need a lawyer.

Thank You,
Mark Derekklau

"Plea by affidavit"

I Mark Dencklau,

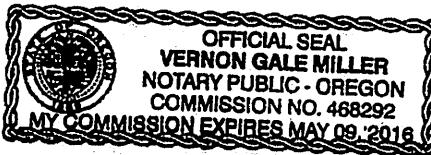
Case no. 141400399 MO,

Plea no contest to

possession of marijuana.

Signed: Mark Dencklau

Dated : December 24, 2014



FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
JANUARY 6, 2015
SILVER MOUNTAIN
Clerk
Judge

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : ARREST WARRANT
Plaintiff, : Warrant No: 1896668
:
vs. : Case No: 141400399 MO
OTN No: 41034562
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: January 8, 2015

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B Misdemeanor
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
3. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
4. FAIL TO APPEAR ON CITATION - Class B Misdemeanor

To any Peace Officer in the State of Utah:

You are commanded to arrest and deliver the defendant to the Wasatch County Jail.

A juvenile may not be confined in an adult facility.

Defendant may be transported within the state.

The defendant must appear in Court before Judge O LANE MCCOTTER on the next available court date.

Failure To Appear For Mandatory Court Appearance.

Bail is set at \$2040.00, and must be posted as cash only.

This warrant may be served any time, day or night.

Issued: January 8, 2015

Law Enforcement Agency: WASATCH CO SHERIFF

Date: January 2015



O LANE MCCOTTER
Justice Court Judge

Case No: 141400399 Date: Jan 08, 2015

Defendant Details:

MARK LEROY DENCKLAU
14163 FRENCH PRAIRIE RD NE
WOODBURN OR 97071

Citation No: W10289766
Date of Birth: 03-02-1960
Driver License No: xxx8803
Social Security No: xxxx-xx-
Home Phone: 971-304-8198
Vehicle License:
Warrant Number: 1896668

Surety Information: STATEWIDE BAIL BONDING LLC Phone: (801)261-3055
3448 S MAIN ST

SALT LAKE CITY, UT 84115

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF DEFENDANT'S FAILURE
Plaintiff, : TO APPEAR AND ORDER TO COMMENCE
vs. : BOND FORFEITURE PROCEEDINGS
MARK LEROY DENCKLAU, : Case No: 141400399 MO
Defendant. : Judge: O LANE MCCOTTER
: Date: January 08, 2015

NOTICE

TO THE BAIL BOND SURETY COMPANY AND THE PROSECUTING AGENCY:

This is to advise you that, pursuant to Section 77-20b-101, et.seq. Utah Code Annotated 1953, as amended, that the above-named defendant, after having been given notice, failed to appear for his/her regularly scheduled court proceeding on January 8 2015.

The posting bond company is STATEWIDE BAIL BONDING LLC for the amount of \$1360.00. The bonding company has six months from the date of non-appearance to bring the defendant before the Court. At the end of that time the prosecuting attorney shall begin forfeiture in accordance with Section 77-20b-101 et.seq. Utah Code Annotated 1953 as amended.

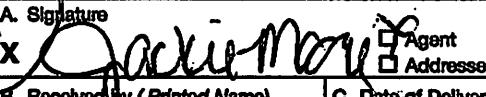
The prosecuting agency on this case is WASATCH COUNTY, 805 W 100 S, HEBER CITY, UT 84032. Phone: (435) 654-2909, Fax: (435) 654-2947.

Court Location - WASATCH COUNTY JUSTICE COURT, 1361 S HIGHWAY 40, HEBER CITY, UT 84032. Phone: (435) 654-2679.

Date: January 13, 2015



Judge/Clerk

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Jackie Moore  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Jackie Moore</u> C. Date of Delivery <u>1/29/15</u></p> <p>D. Is delivery address different from Item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <u>440 E. 4200 S.</u> <u>SLC, UT 84107</u></p>	
<p>1. Article Addressed to:</p> <p>Statewide Bail Bonds LLC 3448 Main St SLC UT 84115</p> <p>141450391</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number <i>(Transfer from service label)</i></p> <p>7011 0470 0000 4567 9650</p>			

PS Form 3811, February 2004 Domestic Return Receipt 102585-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

**WASATCH COUNTY
JUSTICE COURT
1361 SOUTH HWY 40, STE 100
HEBER CITY, UT 84032
RETURN SERVICE REQUESTED**

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : MINUTES
Plaintiff, : PRETRIAL CONFERENCE
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: January 8, 2015

PRESENT

Clerk: coletter
Prosecutor: WADE, SAMUEL C
Defendant not present

DEFENDANT INFORMATION

Date of birth: March 2, 1960

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B Misdemeanor
Plea: Not Guilty
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Plea: Not Guilty
3. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
4. FAIL TO APPEAR ON CITATION - Class B Misdemeanor

HEARING

Defendant failed to appear. State was provided a copy of the Plea by affidavit the court received on 1-6-15 and asked the court if it would be accepted. Judge will not accept the plea by affidavit, it does not have the proper notary signature and does not address sentencing terms. Judge orders warrant issued, set cash bail at \$2040.00 and notify bonding company. Defendant will be required to appear in this court to take care of this case. Clerk will schedule a new date for the defendant to appear.

Case No: 141400399 Date: Jan 08, 2015

PRETRIAL CONFERENCE is scheduled.

Date: 02/24/2015

Time: 08:30 a.m.

Location: WASATCH COURTROOM

1361 S HWY 40

HEBER, UT 84032

before Judge O LANE MCCOTTER

Date: 8 January 2015


O LANE MCCOTTER

Justice Court Judge

Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128. The general information phone number is (435) 654-2679.

CERTIFICATE OF NOTIFICATION

Case No: 141400399 Date: Jan 08, 2015

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

MAIL: MARK LEROY DENCKLAU 14163 FRENCH PRAIRIE RD NE WOODBURN, OR 97071

EMAIL: STATE OF UTAH skelsey@co.wasatch.ut.us

Date: 1/13/15



Justice Court Clerk

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH,	:	NOTICE OF
Plaintiff,	:	PRETRIAL CONFERENCE
	:	
vs.	:	Case No: 141400399 MO
MARK LEROY DENCKLAU,	:	Judge: O LANE MCCOTTER
Defendant.	:	Date: January 8, 2015

PRETRIAL CONFERENCE is scheduled.

Date: 02/24/2015

Time: 08:30 a.m.

Location: WASATCH COURTROOM
1361 S HWY 40

HEBER, UT 84032

before Judge O LANE MCCOTTER

DEFENDANT MUST BE PRESENT AT THIS HEARING.

Date: 1-8-15



Justice Court Clerk

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (435)654-2679 five days before the hearing. Individuals needing special accommodations (including auxiliary communicative aids and services) should call at three days prior to the hearing. For TTY service call Utah Relay at 800-346-4128.

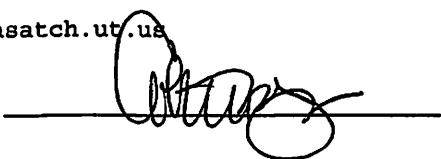
CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 141400399 by the method and on the date specified.

MAIL: MARK LEROY DENCKLAU 14163 FRENCH PRAIRIE RD NE WOODBURN, OR 97071

EMAIL: STATE OF UTAH skelsey@co.wasatch.ut.us

Date: 1-13-15



Justice Court Clerk

SCOTT H SWEAT, # 6143
Wasatch County Attorney
SAMUEL CASE WADE, #14829
Deputy Wasatch County Attorney
805 West 100 South
Heber City, Utah 84032
Phone: (435) 654-2909
Fax: (435) 654-2947

FILED
IN THE JUSTICE COURT
WASATCH COUNTY, UTAH
2/15 Date
Clerk
Judge

IN THE JUSTICE COURT

IN AND FOR WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH,

Plaintiff,

VS.

MARK L. DENCKLAU ,

Defendant.

**RESPONSE TO DEFENDANT'S
REQUEST FOR DISCOVERY**

Case No 141400399

Judge: O. LANE MCCOTTER

COMES NOW, Plaintiff State of Utah through its deputy attorney, SAMUEL CASE WADE, and responds to Defendant's Request for Discovery. In accordance with Rule 16 of the Utah Rules of Criminal Procedure, State hereby provides to defense counsel the following information.

1. A copy of the Amended Criminal Information
2. A copy of the Criminal Information
3. A copy of Response to Defendant's Plea by Affidavit
4. A copy of Defendant's (Letter Received 10/03/2014)
5. A copy of Plea by Affidavit
6. A copy of Letter to Defendant
7. A copy of Letter (1) from Defendant (Received 9/4/14)

8. A copy of a Letter (2) from Defendant (Received 9/4/2014)
9. A copy of Motion and Order to Continue
10. A copy of the Warrantless Arrest Probable Cause Statement/Arrest Report
11. A copy of the WASATCH CO SHERIFF'S OFFICE Incident Report, Case # 1407-0344
12. A copy of Photos
13. A copy of the Undertaking of Bail
14. A copy of the Criminal History
15. A copy Arrest Warrant (1/8/2015), and Notice of Failure to Appear
16. A copy of Arrest Warrant (9/4/2015), and Notice of Failure to Appear
17. A copy of Pretrial Notices
18. A copy of Response to Defendant's Request to Change Pretrial
19. A copy of Notices of Bench Trial
20. The State's potential witness list is as follows:

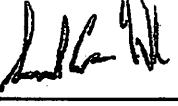
Deputy Dustin Lazenby WASATCH CO SHERIFF'S OFFICE
Deputy Rickey Keel WASATCH CO SHERIFF'S OFFICE
Officer McDaniel U.S. FOREST SERVICE
Officer Korey McDaniel U.S. FOREST SERVICE

The State reserves the right to call upon any witnesses not listed on the back of the information.

The foregoing is provided in response to the prosecution's responsibilities under Utah Rule of Criminal Procedure 16(a)(1) through 16(a)(4) and may also include additional evidence that is currently in the prosecution's case file. However, despite the possible voluntary inclusion of some evidence that is not required to be disclosed under URCrP 16(a)(1) through

16(a)(4), no representation is made regarding the existence or non-existence of additional evidence that is not provided herein. Moreover, to the extent that Defendant's request for discovery seeks items that are not listed above and that are covered by Utah Rule of Criminal Procedure 16(a)(5), the State objects to the request and asks that Defendant be required to identify (1) the specific item(s) of evidence that he/she believes to exist, (2) the location where the evidence can be found, (3) the nature of the prosecution's ability and duty to obtain the evidence, and (4) the good cause that justifies the discovery request.

DATED this 11 day of February, 2015,

 
SAMUEL CASE WADE
Deputy Wasatch County Attorney

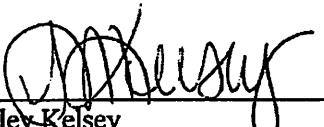
CERTIFICATE OF MAILING

I hereby certify that on the 11 day of February, 2015, I

- mailed,
- hand-delivered,
- faxed,
- scanned/mailed,

a true and correct copy of above-listed documents as Discovery to:

RUSSELL S. PIETRYGA
PIETRYGA LAW
1547 BRYAN AVENUE
SALT LAKE CITY UT 84105


Shelley Kelsey
Legal Secretary

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : MINUTES
Plaintiff, : PRETRIAL CONFERENCE
:
vs. : Case No: 141400399 MO
MARK LEROY DENCKLAU, : Judge: O LANE MCCOTTER
Defendant. : Date: February 24, 2015

PRESENT

Clerk: coletter
Prosecutor: WADE, SAMUEL C
Defendant not present

DEFENDANT INFORMATION

Date of birth: March 2, 1960

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B Misdemeanor
Plea: Not Guilty
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Plea: Not Guilty
3. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
4. FAIL TO APPEAR ON CITATION - Class B Misdemeanor

HEARING

State informed the court that counsel filed appearance on this case on February 8, however he was not filed with the court. State will contact counsel and have him file appearance with the court then court will contact to set a new date.

Date: 24 February 2015


O LANE MCCOTTER
Justice Court Judge

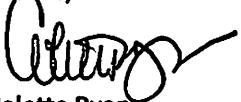
July 8, 2015

Wasatch County Attorney Office,

Please begin Bond Forfeiture Procedures on, Mark LeRoy Dencklau, case 14140039.

Attached you will find the Arrest Warrant, Proof of Certified Mailing, Notice of Defendant's Failure to Appear and Order to Commence Bond Forfeiture Proceedings, and Bond.

Thanks,



Colette Ryan
Wasatch Justice Court Clerk

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : ARREST WARRANT
Plaintiff, : Warrant No: 1896668
vs. :
MARK LEROY DENCKLAU, : Case No: 141400399 MO
Defendant. : OTN No: 41034562
: Judge: O LANE MCCOTTER
: Date: January 8, 2015

CHARGES

1. POSSESSION OR USE OF A CONTROLLED SUBSTANCE - Class B Misdemeanor
2. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
3. USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
4. FAIL TO APPEAR ON CITATION - Class B Misdemeanor

To any Peace Officer in the State of Utah:

You are commanded to arrest and deliver the defendant to the Wasatch County Jail.

A juvenile may not be confined in an adult facility.

Defendant may be transported within the state.

The defendant must appear in Court before Judge O LANE MCCOTTER on the next available court date.

Failure To Appear For Mandatory Court Appearance.

Bail is set at \$2040.00, and must be posted as cash only.

This warrant may be served any time, day or night.

Issued: January 8, 2015

Law Enforcement Agency: WASATCH CO SHERIFF

Date: 8 January 2015


O LANE MCCOTTER

Justice Court Judge

Case No: 141400399 Date: Jan 08, 2015

Defendant Details:

MARK LEROY DENCKLAU
 14163 FRENCH PRAIRIE RD NE
 WOODBURN OR 97071

Citation No: W10289766
 Date of Birth: 03-02-1960
 Driver License No: xxx8803
 Social Security No: xxx-xx-
 Home Phone: 971-304-8198
 Vehicle License:
 Warrant Number: 1896668

Surety Information: STATEWIDE BAIL BONDING LLC Phone: (801)261-3055
 3448 S MAIN ST

SALT LAKE CITY, UT 84115

7011 0470 0000 4567 9650

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only, No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL U.S. MAIL	
Postage	\$ 4.99
Certified Fee	3.10
(Endorsement Required)	2.50
Return Receipt Fee	
Restricted Delivery Fee	
(Endorsement Required)	
Total Postage & Fees \$ 10.34	
141400399	
<i>Statewide Bail Bond LLC</i> <i>3448 S Main St</i> <i>Ogden, Utah, 84404</i>	
Scan Here	
PS Form 3800 (August 2006)	
See Reverse for Instructions	

WASATCH COUNTY JUSTICE COURT
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH, : NOTICE OF DEFENDANT'S FAILURE
Plaintiff, : TO APPEAR AND ORDER TO COMMENCE
vs. : BOND FORFEITURE PROCEEDINGS
MARK LEROY DENCKLAU, : Case No: 141400399 MO
Defendant. : Judge: O LANE MCCOTTER
 : Date: January 08, 2015

NOTICE

TO THE BAIL BOND SURETY COMPANY AND THE PROSECUTING AGENCY:

This is to advise you that, pursuant to Section 77-20b-101, et.seq. Utah Code Annotated 1953, as amended, that the above-named defendant, after having been given notice, failed to appear for his/her regularly scheduled court proceeding on January 8 2015.

The posting bond company is STATEWIDE BAIL BONDING LLC for the amount of \$1360.00. The bonding company has six months from the date of non-appearance to bring the defendant before the Court. At the end of that time the prosecuting attorney shall begin forfeiture in accordance with Section 77-20b-101 et.seq. Utah Code Annotated 1953 as amended.

The prosecuting agency on this case is WASATCH COUNTY, 805 W 100 S, HEBER CITY, UT 84032. Phone: (435) 654-2909, Fax: (435) 654-2947.

Court Location - WASATCH COUNTY JUSTICE COURT, 1361 S HIGHWAY 40, HEBER CITY, UT 84032. Phone: (435) 654-2679.

Date: 13/09/2015

Judge/Clerk

IN THE WCJP COURT, STATE OF UTAH
Wasatch COUNTY, DEPARTMENT

STATE OF UTAH

vs. Mark LeRoy Dencklau

Defendant

UNDERTAKING OF BAIL BY
 QUALIFIED SURETY AND
 APPOINTMENT OF AGENT WITH
 POWER OF ATTORNEY

Poss Marijuana
 Poss Paraph

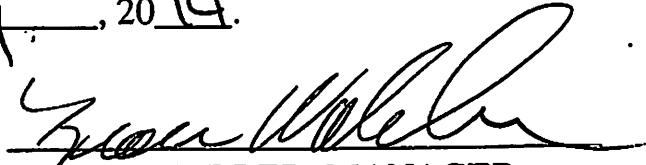
Case No. new

Bond No. 75142

Amount of Bond\$ 1360.00

Statewide Bail Bonding, LLC, by and through Tyron Webber, Manager, of the Limited Liability Company hereby appoints Jackie Moore as agent of Statewide Bail Bonding, LLC for the purpose of this specific bail bond only with the full power of attorney with full power to execute this undertaking of bail in an amount no more than \$ 1360.00 by issuing this bail bond within thirty (30) days after the date this bond is dated, and notarized by Tyron Webber, managing agent of Statewide Bail Bonding, LLC. The undersigned, a surety qualified with Utah State Department of Insurance, State of Utah, with a business address of 3350 South 900 West, Salt Lake City, UT 84119, Telephone: (801) 261-3055. The surety hereby undertakes that the above-named defendant will at all times hold himself amendable to the orders and process of court, and if convicted, will appear for judgment according to the Utah Law.

DATED this 5 day of July, 2014.



TYRON WEBBER, MANAGER
 STATEWIDE BAIL BONDING, LLC

STATE OF UTAH
 BAIL BOND LICENSE NO.
97876 
 STATEWIDE BAIL BONDS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Statewide Bail Bonds LLC
3448 S Main St
SLC UT 84115

14140399

2. Article Number
(If different from service label)

7011 0470 0000 4567 9650

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Jackie Moore

Agent

Addressee

B. Received by (Printed Name)

Jackie Moore

C. Date of Delivery

1/29/15

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

440 E. 4200 S.
2015 SLC, UT 84107

JAN 29

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

From: Russell Pietryga Fax: (888) 345-5929

To:

Fax: +1 (435) 654-5048

Page 2 of 4 08/31/2015 4:45 PM

FILEDIN THE JUSTICE COURT
WASATCH COUNTY, UTAH9-1-15

Date

RM

Clerk

Judge

RUSSELL S. PIETRYGA (8428)
PIETRYGA LAW
1547 Bryan Avenue
Salt Lake City, Utah 84105
Telephone: (801) 505-1586
Facsimile: (888) 345-5929
Email: russ@saltlakeDUI.com

*Attorneys for Defendant***WASATCH COUNTY JUSTICE COURT,
WASATCH COUNTY, STATE OF UTAH**

STATE OF UTAH,

APPERANCE OF COUNSEL

Plaintiff,

v.

MARK LEROY DENCKLAU,

Case No.: 141400399

Defendant.

Judge BROOK SESSIONS

The defendant, by and through their attorney, Russell S. Pietryga, does herewith enter an *Appearance of Counsel* and requests that any further correspondence be properly directed to counsel for defendant at the address as stated above.

On behalf of the defendant, counsel does herewith request a pre-trial scheduled.

DATED this 31st day of August 2015.

/s/ Russell Pietryga

Russell S. Pietryga
PIETRYGA LAW
 Attorney for Defendant

From: Russell Pietryga Fax: (888) 345-5929

To:

Fax: +1 (435) 654-5048

Page 3 of 4 08/31/2015 4:45 PM

FILED**IN THE JUSTICE COURT
WASATCH COUNTY, UTAH**9-1-15

Date

pm

Clerk

Judge

RUSSELL S. PIETRYGA (8428)
PIETRYGA LAW
 1547 Bryan Avenue
 Salt Lake City, Utah 84105
 Telephone: (801) 505-1586
 Facsimile: (888) 345-5929
 Email: russ@saltlakeDUI.com

Attorneys for Defendant

**WASATCH COUNTY JUSTICE COURT,
WASATCH COUNTY, STATE OF UTAH**

JURY TRIAL DEMAND

STATE OF UTAH,

Plaintiff,

v.

MARK LEROY DENCKLAU,

Case No.: 141400399
 Judge BROOK SESSIONS

Defendant.

The defendant, by and through their attorney, Russell S. Pietryga, hereby requests
 that this matter be set for a jury trial.

DATED this 31st day of August 2015.

/s/ Russell Pietryga
 Russell S. Pietryga
PIETRYGA LAW
 Attorney for Defendant

From: Russell Pietryga Fax: (888) 345-5928

To:

Fax: +1 (435) 654-5048

Page 4 of 4 08/31/2015 4:45 PM

CERTIFICATE OF MAILING

I certify that on this 31st day of August 2015, I did electronically file and/or fax a true and correct copy of the foregoing ***Motion and Order to Continue*** to the following person(s):

E-FILE OR FAXED TO:

- Wasatch County Justice Court
- Wasatch County Prosecutor's Office

_____/s/ Mark Brown_____
Clerk

From: Russell Pietryga Fax: (888) 345-5929

To:

Fax: +1 (435) 654-5048

Page 1 of 4 08/31/2015 4:45 PM

FILED**IN THE JUSTICE COURT
WASATCH COUNTY, UTAH**9-1-15

Date

RW

Clerk

Judge

FAX

Date: 08/31/2015

Pages including cover sheet: 4

To:	
Phone	
Fax Number	+1 (435) 654-5048

From:	Russell Pietryga
	Pietryga Law Office
	1547 Bryan Ave
	Salt Lake City
	UT 84105
Phone	+1 (801) 505-1586
Fax Number	(888) 345-5929

NOTE:

Dencklau Appearance of Counsel
Case# 141400399

From: Russell Pietryga Fax: (888) 345-5929

To:

Fax: +1 (435) 654-5048

Page 2 of 3 09/30/2015 4:32 PM

RUSSELL S. PIETRYGA (8428)
PIETRYGA LAW
 1547 Bryan Avenue
 Salt Lake City, Utah 84105
 Telephone: (801) 505-1586
 Facsimile: (888) 345-5929
 Email: russ@saltlakeDUI.com

Attorneys for Defendant

FILED

IN THE JUSTICE COURT
 WASATCH COUNTY, UTAH
130 Date
CR Clerk
Judge Judge

**WASATCH COUNTY JUSTICE COURT,
 WASATCH COUNTY, STATE OF UTAH**

STATE OF UTAH,

**NOTICE OF WITHDRAWAL OF
 COUNSEL**

Plaintiff,

v.

MARK LEROY DENCKLAU,

Defendant.

Case No.: 141400399
 Judge BROOK SESSIONS

Defendant Mark Dencklau has terminated his attorney client relationship with attorney RUSSELL S. PIETRYGA. Pursuant to Rule 1.16(a)(3) of the Rules of Professional Conduct, which states that "a lawyer shall not represent a client . . . [if] the lawyer is discharged," Counsel hereby provides the court notice of its withdrawal from the case as Counsel for above named defendant.

DATED this 30th day of September 2015.

/s/ Russell Pietryga
 Russell S. Pietryga
 Attorney for Defendant

From: Russell Pietryga

Fax: (888) 345-5929

To:

Fax: +1 (435) 654-5048

Page 3 of 3 09/30/2015 4:32 PM

CERTIFICATE OF MAILING

I certify that on this 30th day of September 2015, I did electronically file and/or fax a true and correct copy of the foregoing *Notice of withdrawal* to the following person(s):

E-FILE OR FAXED TO:

- Wasatch County Justice Court
- Wasatch County Prosecutor's Office

_____/s/ Mark Brown_____
Clerk

From: Russell Pietryga Fax: (888) 345-5929

To:

Fax: +1 (435) 654-5048

Page 1 of 3 09/30/2015 4:32 PM

FAX**Date:** 09/30/2015**Pages including cover sheet:** 3

To:	
Phone	
Fax Number	+1 (435) 654-5048

From:	Russell Pietryga
	Pietryga Law Office
	1547 Bryan Ave
	Salt Lake City
	UT 84105
Phone	+1 (801) 505-1586
Fax Number	(888) 345-5929

NOTE:

Dencklau Case # 141400399